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WAGE AND HOUR LAW ENFORCEMENT AND INTERPRETATION OF REGULATIONS

Division Creates Special Supplementary Field Force —Interpretations Governing Enforcement

Questions on the wage and hour law received by the Association from canners who are now preparing for the coming canning season indicate the desirability of a review of the law and regulations, including the Wage and Hour Division's policy as to enforcement and the Division's interpretation of regulations on questions raised at conferences with representatives of the Division at the annual convention in Chicago.

The extent to which canners can expect detailed, routine, and thoroughgoing enforcement of the maximum hour and minimum wage provisions of the Federal Fair Labor Standards Act during the coming canning season was indicated recently when the Wage and Hour Division of the Department of Labor announced the creation of a special supplementary group of enforcement officers for use in particular areas during seasonal operations.

In his address to the Convention in January, General Fleming reported that the Division already had secured over 800 enforcement officers, and that the provisions of the law would be rigorously enforced during 1941. Since January, according to the Division's recent announcement, over 250 additional inspectors have been employed. This enlarged force of inspectors will furnish the background for routine enforcement throughout the season, irrespective of complaints, and it is understood that such routine enforcement is already under way, particularly in those areas, such as the citrus fruit areas, in which canning is now being carried on.

The supplemental field force, recently established, will be based in Washington, and will be used throughout the country to supplement the established local staffs of enforcement officers. This Washington pool of additional inspectors will be used during the peak of the canning season in particular areas. The Division has announced that in this fashion it expects to achieve routine, rigid, and continuous enforcement throughout the packing season for all products.

This increased enforcement activity suggests the desirability of again calling to canners' attention the interpretations which have been advanced by the Division, and which will control the activities of their inspectors. It will be recalled that during the Convention an effort was made to make these governmental interpretations available to canners—particularly the interpretations of the exemptions from maximum 40-hour workweek and 30-cent minimum wage provisions. While on a number of border-line problems of interpretation there still exists some difference of opinion between the Division and a number of canners, it was thought desirable that the position to be taken by the Division in

its enforcement be fully explained in order that the area of controversy might be delimited and every canner be in a position, as far as possible, to plan his operations during the coming season.

To this end Harold Stein and other officials of the Division, together with counsel for the Association, conducted a series of forum meetings during the Convention at which the outstanding problems of interpretation were canvassed. Thereafter, certain questions which could not be answered in Chicago were submitted by the Association to the Division in Washington. Answers to many of these questions have now been given by the government.

Before presenting these new interpretations, it will be helpful to summarize the exemptions from the wage and hour requirements to which these interpretations are directed. All canners are urged to read carefully both this prefatory discussion and the specific interpretations now given by the Division. If any question arises as to the

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FOOD PURCHASING PROGRAM

Agriculture Department to Use Present Facilities in Buying for Foreign Countries

Further development of the plans for purchasing food supplies for Great Britain and other countries, as outlined in last week's INFORMATION LETTER, was revealed in an announcement by the Department of Agriculture on Friday that the "ever-normal granary" program would be expanded to a program designed to insure ample supplies for the United States, Great Britain, and other nations resisting aggression.

Under the expanded program, the production of pork, dairy products, eggs and poultry will be stimulated through the support of prices over the period ending June 30, 1943, at levels remunerative to producers. Other phases of the program include:

1. Continuation of the existing corn loan program for 1941 and 1942.
2. Continuation of the policy of making loan corn available to producers at the loan rate plus certain carrying charges.
3. Allowing producers in the commercial corn producing area to increase corn acreage up to their usual acreage. These producers would not receive corn payments.
4. No corn marketing quotas for the 1941 crop.

The announcement gave the prices at which the Department would make purchases in the open market to support long-term prices on hogs, dairy products, chickens, and eggs.

"The government's purchases in the open market," it was stated, "will be used to accumulate reserve supplies of food. These supplies can be used for transfer to the British and

other countries under the provisions of the Lend-Lease Act; for release upon the market in case of unwarranted speculative price increases; to meet requests from the Red Cross for shipment to war refugee areas; and for direct distribution through school lunch programs or through State welfare departments to public aid families. Arrangements are also being made for a full and complete coordination of these purchases with those being made for our armed forces."

As to the effect of the program, it was stated:

"This ever-normal food supply program will, we feel, stimulate sufficient increases in production to insure that food supplies will be adequate for all needs here and abroad. Consequently, there should be no danger of run-away markets for any of these food products. Should unwarranted speculation drive prices up to unduly high levels at any time, the supplies in the hands of the government will be released to stabilize prices and maintain them at reasonable levels. Under this ever-normal food program, consumers will be protected and farmers will benefit by selling more products at fairer prices than those that have prevailed during the past few years."

In a supplemental statement, Commissioners Henderson and Elliott of the National Defense Advisory Commission said:

"This program contemplates moderate price increases for certain commodities over the two-year period which will cover the costs of additional production required during the coming year. At the same time it should forestall more extreme price advances later on by insuring consumers of adequate supplies.

"The prices set forth in Secretary Wickard's statement are an assurance to consumers as well as producers. Our offices have arranged to keep in close touch with the Department of Agriculture at all stages in this program and to advise with it on purchase and sale operations as these affect prices. In the event of unwarranted or speculative advances we will not hesitate to ask the liquidation of supplies to maintain price stability. At the same time we intend to watch processors' and distributors' margins to make certain that there are no increases in these spreads as a consequence of the program.

"It is particularly important that consumers and the government be given the benefit of current prices on stocks now held by processors and distributors and which were acquired at prices below those which will be maintained henceforth."

Congress Summary

The House recessed Thursday afternoon until Monday, April 14, having received the concurrence of the Senate the day before. Meanwhile, Senate leaders indicated that the Senate might take three-day recesses during the period the House is not in session. Senate action during the week was confined for the most part to debate on the \$1,000,000,000 Agriculture Department appropriation bill. Major House action was limited to approval of a resolution empowering the Military and Naval Affairs Committees to investigate the progress of the national defense program.

Owing to the recess of the House, the Committee on Agriculture postponed until April 22 hearings scheduled for this week on proposals to bring farmers' income to parity. The Senate Judiciary Committee began hearings on the administrative procedure bills recommended by the Attorney Gen-

eral's committee on Wednesday. Testimony was presented by representatives of the War, Agriculture, and Post Office Departments. The hearings will continue on Monday when representatives of the Labor and Treasury Departments will appear. Brig. Gen. Phillip B. Fleming, administrator of the wage and hour law, also is scheduled to testify on Monday.

WAGE AND HOUR LAW ENFORCEMENT AND INTERPRETATION OF REGULATIONS

(Continued from preceding page)

application of these interpretations to the operations in a particular cannery, it is suggested that the canner communicate with the Regional Director of the Wage and Hour Division for his locality and clarify his own position in advance of the packing season. (A list of these offices appeared in INFORMATION LETTER No. 772, Dec. 30, 1939, p. 6073.) It is also requested that copies of any local requests for rulings and the replies thereto be forwarded to the Association. Moreover, if any question arises which appears to be applicable not merely to the particular operation of the individual canner but to the industry as a whole, it is suggested that such question, together with a statement of the controlling facts, be forwarded to the Association for consideration with officials in Washington.

EXEMPTIONS AVAILABLE

Apart from exemptions for particular groups of employees in executive, administrative, or professional or certain selling capacities, applicable to all types of industry, (see INFORMATION LETTER No. 809, Oct. 19, 1940, p. 6353), and the exemption for the catching and canning of sea foods, there are in general four exemptions available to canners. The first two afford exemptions from both the 40-hour workweek and 30-cent minimum wage provisions, but as interpreted by the Division are very limited in application. They relate to "agricultural employees" and canning performed by farmers, and to the now narrowly limited group of canners whose operations fall within the "area of production" as last defined. The second two exemptions relate solely to the maximum weekly hour provision, and are basically limited to seasonal or perishable fresh fruits and vegetables.

Area of production exemption now narrowly limited.—As last amended, the regulation defining the term "area of production," as used in section 13(a) (10) of the Act, provides that with respect to the canning of perishable or seasonal fresh fruits and vegetables the exemption shall cover only canners who do not employ more than ten employees and all of whose materials come from farms in the general vicinity of the cannery. See INFORMATION LETTERS No. 797, July 27, 1940, pp. 6277-79; No. 799, August 10, 1940, p. 6289. Section 13(a) (10), it will be recalled, exempts from both wage and hour requirements any employee engaged in canning operations within the "area of production," as such area is defined by the Administrator. It is doubtful, however, whether the exemption, as defined by the Administrator in his last regulation, covers many commercial canneries in the United States. In some cases, however, where, during a particular workweek, the prescribed definition can be met, there is an exemption from both the wage and hour requirements.

Employees engaged in "agriculture" and canning by growers.—Section 13(a) (6) of the Act affords an exemption from both the hour and wage requirements for employees "employed in agriculture."

Agriculture is defined in section 3(f) of the Act. Generally this definition covers two classes of employees: (1) Those employees who are directly engaged in the planting, growing, cultivation and harvesting of crops, and (2) employees engaged in "any practices . . . performed by a farmer or on a farm as an incident to or in conjunction with such farming operations." (Those portions of the extensive interpretations of this exemption published by the Division in its Interpretative Bulletin No. 14 which are of interest to canners were fully reviewed in INFORMATION LETTER No. 756, August 26, 1939, p. 5953.)

As to the first class of employees, it will be apparent that the exemption has no application to canning operations as such. It may have a limited application to such employees as fieldmen. (See the discussion of fieldmen and vining station employees set forth below.)

The extent to which the second portion of the exemption applies to canning employees has not as yet been clearly established, but its application probably is very limited. In the INFORMATION LETTER discussion of August 26, 1939, it was pointed out that the precise scope of the exemption "is not susceptible of precise definition" but would include only activities "which constitute a subordinate and established part of the farming operations." The question most often raised under this part of the law, which affords exemption from both hour and wage requirements, is whether a cannery which cans only the products grown on farms owned by the canner is to be exempted. It must be reported that on this question the Division has taken an extremely narrow view. No specific rulings have been found in which the Department has approved the application of this exemption to a particular cannery. In determining the question the Department will examine whether the same employees worked on the farm and in the cannery, the comparative investments in farm and in plant, the extent to which the produce of the farm was sold as fresh rather than canned, the general history of past operations, the manner in which the farm was owned or leased by the canner, etc. While technically the application of all exemptions is covered by activities during a particular workweek, it is doubtful with respect to this particular exemption whether a change of status from week to week will be possible. It is recommended that any canners desiring to avail themselves of this exemption—on the theory that their canning operations are merely incidental to their principal activity as farmers—should consult with the regional office of the Division in order to verify their status.

Fourteen week unlimited hours exemption.—What is known as the original 14-week exemption, contained in section 7(c) of the Act, provides for 14 workweeks in the aggregate in the calendar year with unlimited hours for employees engaged in the first processing of or the canning or packing of perishable or seasonal fresh fruits or vegetables. The operation of this exemption has been repeatedly discussed. See INFORMATION LETTERS No. 756, August 26, 1939, p. 5953; No. 803, Sept. 7, 1940, p. 6309. Basically the Division takes the position that this 7(c) ex-

emption is limited to employees engaged in, or directly connected with, actual canning operations during the active season; that it applies *only* to the canning of perishable or seasonal products during the active canning season; and that it covers only employees working on the canning line or those whose work is directly controlled by the irregular flow of raw materials into the canning plant. Moreover, the exemption covers only those employees who work in the establishment or "place of employment" where the perishable or seasonal products are canned. The aggregate 14 weeks may be computed separately for each establishment but not separately for individuals or groups of employees in such establishment. The 7(c) exemption does not, in the opinion of the Division, apply to employees in a separate place of employment where no canning is done even though the work of these employees may be controlled by the irregular flow of raw materials.

Additional limited 14-week exemption.—Effective August 24, 1940, the Administrator declared that the first processing and canning of perishable or seasonal fresh fruits and vegetables was a seasonal industry under section 7(b) (3) of the Act and hence there became applicable an *additional* 14-week aggregate exemption for such operations permitting employment without payment of overtime up to 12 hours in any workday or 56 hours in any workweek. This exemption was in addition to the original 7(c) exemption. Because of differences in the controlling language of the law, it may be taken at any time throughout the year. It is somewhat broader than the original exemption and applies to all types of workers *dealing with perishable or seasonal products* both during and before and after the active canning season.

Although there is no specific provision in the statute, the Wage and Hour Division has taken the position that administrative procedure necessitates that this second 14-week exemption likewise be computed on a factory or establishment basis. In other words, if the exemption is taken for a single employee in a particular cannery, it counts as one of the exempt weeks for all of the employees in that cannery. (Where a canner desires to take the 7(b) (3) exemption for employees working in an auxiliary or service establishment, such as a central office, repair shop, warehouse, etc., which serves two or more of his canneries, the specific facts should be made the basis of an inquiry to the Association. In such cases it now appears that the Division is disposed to charge the particular workweek against each one of the canneries served by such separate establishment.)

Finally, it is essential to note that the Division insists that where an employee works on other than seasonal or perishable fresh fruits and vegetables *during any part* of the workweek, he cannot be exempted under either of these exemptions for that workweek. Similarly, where the work of employees during a particular week includes work on both seasonal and non-seasonal products, the exemptions cannot be taken for such employees for that week. Thus it is the position of the Division that maintenance employees, power plant employees, warehouse crews, etc., whose work, in a particular workweek, relates *both* to seasonal and non-seasonal products, have no exempt status whatever. See INFORMATION LETTER No. 756, Aug. 26, 1939, p. 5953.

EXEMPTION OF SPECIFIC GROUPS OF EMPLOYEES

Following the convention discussions a series of specific questions was presented to the Division by the Association.

The Administrator has replied to five separate inquiries.

1. *Buying on produce exchanges.*—The first inquiry related to the purchase of raw materials on produce exchanges. The detailed facts of this type of buying were set forth and it was pointed out that because of the irregular hours the exchanges were open, restrictions upon the daily hours of the buyers were not practicable. It was suggested that since this work was an essential part of canning and related to the flow of raw materials into the cannery, section 7(c) would be applicable. In reply the Administrator stated:

"You point out that in some sections of the country canners purchase a portion of their raw materials on produce exchanges rather than under acreage contracts. Where this is done, it is necessary for the canners to employ buyers to visit the exchanges and make the purchases. The buyers go early in the morning to the produce exchange in order to buy the products that are to be canned. After the purchase is made, it is necessary for the buyer to see to it that the raw materials are delivered to the canning plant for canning on the same day. You ask whether these buyers are within the scope of the section 7(c) exemption.

"In our opinion such buyers are not within the section 7(c) exemption. They are not working in the 'place of employment' where their employer is engaged in canning fresh fruits or vegetables. Since that is so, it is our opinion that the exemption is inapplicable to them." (Note: Such outside buyers presumably are exempt under section 7(b) (3), but if they are so considered in any workweek, that week must be counted against the cannery for which they buy under the Administrator's current interpretation of that section.)

2. *Fieldman.*—With respect to fieldmen there was presented to the Administrator a memorandum explaining in detail the work done by fieldmen in the various parts of the country, and a request made for a ruling as to the status of such employees. The Administrator's reply was:

"Your next question concerns so-called fieldmen, who perform the function of supervising the production and harvesting of the raw products which are purchased by the canners under acreage contracts with the growers. The activities of these men fall into three distinct categories. (a) During the early months of the year their principal duty is to secure acreage contracts. They call on various growers, adjust difficulties that may remain from the preceding year, discuss with the growers the acreage to be planted, the prices to be paid and secure the execution of written contracts. (b) When the planting and growing season arrives the duties of the fieldmen are directly related to the planting and growing of crops. They supervise the planting and cultivation of the crops, consult with the grower as to the type of seed which should be used, the method of planting to be followed, fertilization and any other problems of cultivation which may arise. During this period the fieldmen are not required to report at the canning plant regularly. They do, however, periodically report to the canners on the condition of the various crops and may consult with the canners concerning particular problems of cultivation which may arise. (c) During the harvesting and canning periods the fieldmen make the canning plant their headquarters and report there two or three times a day. This is

necessary in order to coordinate the harvesting operations, which are done under the direction of the fieldmen, with the operations of the canning plant. The fieldmen watch the various farms under their supervision and report to the canners when the crops are expected to be ready for harvesting. The canners then plan their production, and work out a program for the harvesting of the various fields and the delivery of the crops at the plant. The fieldmen see to it that the crops are harvested at the proper time, and that they are delivered to the canning plant immediately after harvesting.

"You correctly point out that the section 7(b) (3) exemption appears to apply to fieldmen during the early months of the year when they are obtaining acreage contracts. Your question is, if one of the section 7(b) (3) weeks is taken for a fieldman during this period, does this week count as one of the 14 weeks for the canning plant as a whole. The answer to this question is that it does so count. If it were not counted, in our opinion, the section 7(b) (3) exemption would thereby be transformed into something more than a 14 weeks exemption. Since the statute specifically limits it to a 14 weeks exemption, in our opinion, this week must count as one of the 14 weeks.

"Your next question is whether the section 13(a) (6) exemption for employees employed in agriculture applies to the activities of these fieldmen during the planting and growing season. In our opinion, if the activities of these men during this period are directly related to the cultivation and growing of agricultural commodities and if they work only on the farms save for an incidental amount of reporting to the canning plant, and do no other work, the section 13(a) (6) exemption applies to them.

"Your next question is whether the work of the fieldmen during the harvesting season comes under the section 7(c) exemption. You state that the hours of work of the fieldmen are directly controlled by the irregular flow of the raw materials from the field to the cannery and their headquarters during this period is the canning plant. In our opinion, if the facts are as you present them, the fieldmen should be considered as working in the place of employment during the harvesting period, since they make regularly recurring trips to and from the cannery and may be deemed attached thereto. If the work of these men is directly controlled by the irregular flow of the raw materials from the field to the cannery, it is our opinion that the section 7(c) exemption applies to them."

3. *Maintenance work between crops.*—The Administrator was also asked to determine the status of employees doing essential maintenance and repair work between two canning seasons where the canner packed more than one commodity. On this subject counsel for the Association pointed out that "after the close of the season for canning one commodity the canner may have only a limited number of days to get his plant ready for the canning of another commodity which will begin to mature very quickly. Not only must he clean up his plant and machinery and make all necessary repairs, but it may be necessary substantially to change the arrangement of his plant, removing some machinery and installing other machinery in its place. The need for speed may be accentuated by unusual weather conditions which prolong the season for the first commodity beyond the time that it normally would close, or which bring about the maturity of the second crop at a date earlier than usual. Because of the speed with which this change-over work frequently must be done, it may be necessary to work the employees additional hours."

Counsel further suggested that "it is clear that work of this type is an essential part of canning. It is equally clear that

the hours of employment are controlled by the irregular flow of raw products into the cannery. The work cannot begin until the flow of the first commodity has ceased and must be concluded before the flow of the second begins."

The Administrator ruled that such maintenance employees working between seasons are *not* exempted under section 7(c). His interpretation read:

"You ask whether the section 7(c) exemption applies to essential maintenance and repair work which is performed between two canning seasons by cannery workers who pack more than one commodity. For example, after the close of the season for canning one commodity, the cannery may have only a limited number of days to get his plant ready for the canning of another commodity. Not only must he clean his plant and machinery and make all necessary repairs, but it may be necessary substantially to change the arrangement of his plant.

"In our opinion the section 7(c) exemption does not apply to work of this character performed between seasons. The cannery is not engaged in canning fruits and vegetables during this time and that reason alone is sufficient to prevent the exemption from applying."

(It should be noted that maintenance workers are exempt under section 7(c) during the active canning season where their work is concerned solely with seasonal or perishable fresh fruits and vegetables, and even between the canning of two commodities such employees are covered by section 7(b) (3) if the cannery is willing to take one of the additional 14 weeks for that plant.)

4. Handling of previously packed products.—It is frequently necessary for a cannery to move and to engage in the labeling, casing, warehousing, and shipping of a previous pack in order to get the older pack out of the way and to make room for current production. It was submitted to the Administrator by the Association's counsel that

"* * * the 7(c) exemption applies to the labeling, casing, warehousing, and shipping of canned seasonal or perishable fruits or vegetables, when these activities are performed immediately after canning as part of a continuous operation (in the same place of employment). Where a cannery has limited storage space, however, it may occasionally be necessary for his warehouse crew to move or handle commodities packed at an earlier date in order to make room for the current pack. As a practical matter some work of this nature may be necessary each week that the crews are handling the current pack, but ordinarily it will require only a very minor portion of the time of the warehouse employees. Since the work is minor and incidental to the handling of the current pack it certainly should not destroy for a particular work-week the 7(c) exemption which would otherwise be applicable. Indeed, it requires no strained construction to conclude that the work of the men in handling the previously canned commodities—where this work is made necessary by lack of storage space—is itself controlled by the irregular flow of raw commodities, and is under the exemption in section 7(c).

"Where warehouse crews are handling currently packed commodities immediately after canning as part of a continuous operation, may they not also incidentally handle some commodities canned at an earlier date, if this is necessary in order to care for the current pack, without destroying the 7(c) exemption otherwise applicable?"

In this instance also the Administrator originally ruled that the exemption did not apply. Since such ruling would work a hardship on many cannerymen, the Administrator has since agreed to consider the question further and it is expected that he will issue his final interpretation within the near future.

5. Vining stations.—The status of vining station employees under section 7(c) was made the subject of a request for a ruling. In an elaborate reply, the full text of which is given below, the Administrator has in substance ruled that a vining station is part of the cannery and is exempt to the same extent as the cannery to which it is attached is exempt.

"Your next question concerns the operation of pea vineries by the cannery. (a) You ask whether, as a general proposition, the vining of peas may be considered 'harvesting' within the meaning of section 3(f). In our opinion, it may not be so considered.

"(b) You next ask, if a vinery is located on a particular farm and vines only the peas grown on that particular farm, are the vinery employees to be considered 'employed in agriculture' and thus exempt under sections 13(a) (6) and 3(f). In our opinion, the vining operations under such circumstances may be considered a practice 'performed on a farm,' as an incident to farming operations within the meaning of section 3(f) and may, therefore, be considered exempt. However, if the pea vinery vines not only the peas grown on that farm but also the peas grown on other farms, in our opinion, it is not within the exemption.

"(c) You next ask whether in weeks in which vining stations vine only peas which are grown by the cannery on farms owned or leased by him, the vining station employees are 'employed in agriculture' within the meaning of section 13(a) (6). In our opinion the vining operations must be considered a part of the canning operations. So considered, the cannery operations, including the vinery operations, will be exempt under section 13(a) (6), if the cannery cans only crops which he grows himself and if the canning operations are merely a subordinate part of the farming operations. Paragraph 10 of Interpretative Bulletin No. 14, indicates some of the tests which determine whether the canning operations will be considered merely a subordinate part of the farming operations.

"Whether the exemption may apply in a situation where the cannery cans crops grown on lands leased by him will depend upon all the facts in the case concerning the particular lease arrangement or arrangements. Without all of such facts before us in a particular case, we are unable to express an opinion.

"(d) Your next question is this: Where the vining station is located away from the canning plant, is each vining station a separate place of employment for which a separate 14 weeks of exemption may be taken under either section 7(c) or section 7(b) (3). In our opinion, each vining station does not constitute a separate place of employment for this purpose. The same 14 weeks of exemption must be taken for both the cannery and all the vining stations. This is true with respect to both the section 7(c) and the section 7(b) (3) exemptions.

"(e) Next you ask: If the vining stations are not separate places of employment for purposes of section 7(c), does the section 7(c) exemption nevertheless apply to such vining stations. In our opinion the exemption applies to the vining stations, if the work at both the vineries and cannery is performed as part of a continuous series of operations throughout which the peas remain perishable."

6. Preparation of fresh commodities entering into non-seasonal products.—While the packing of non-seasonal products is not exempted, where such non-seasonal products include fresh fruits or vegetables, the preparation of that part of the raw material may be exempt as "first processing." On this point the Administrator has stated:

"Your last question concerns the applicability of section 7(c) to the preparation of fresh fruits or vegetables which

are subsequently to be used in the canning of a product considered by the Administrator to be nonperishable. For example, a canner may be engaged in processing tomatoes and at the same time on a segregated line, he may be canning pork and beans in which a tomato sauce prepared from fresh tomatoes is used. The same employees would be employed in peeling and preparing tomatoes for the tomato line and also for use in the making of sauce for pork and beans. The question is whether the fact that some of the tomatoes are to be used in canning pork and beans destroys the exemption under section 7(c) to which the employees engaged in peeling tomatoes would otherwise be entitled.

"If we assume that the tomato sauce which is made by these employees is made directly from the fresh tomato and that the same employees do not also can any pork and beans, in our opinion the section 7(c) exemption applies to them.

"In this same connection you ask whether if the canner canned only pork and beans, the employees preparing the tomatoes to be used in making the sauce would still be under the section 7(c) exemption. We believe that if such preparatory work is 'first processing,' as we have explained the meaning of that term in paragraph 19 of Interpretative Bulletin No. 14, and the work performed by these employees is upon the fresh tomatoes only, and if they do no other work, the section 7(c) exemption applies to these employees."

The foregoing ruling must not be confused with that covering mixed products, such as fruit cocktail or fruit salad or in many cases mixed vegetables, where a relatively minor portion of a previously canned or dried fruit or vegetable is included in a product composed largely of perishable fresh fruits or vegetables. Where the percentage of previously packed or dried commodities is by weight only a relatively small portion of the total raw material, the entire operation may still be regarded as the packing of a seasonal or perishable product. Where, however, the principal volume of the final product is not derived from a fresh fruit or vegetable, the operation is not exempt except to the extent that certain preparatory work may be deemed "first processing" within the ruling quoted above.

EXEMPTION OF OTHER EMPLOYEES

Watchmen.—At the Chicago meetings, it was stated to be the position of the Administrator that the 7(c) original, unlimited 14-week exemption is never applicable to watchmen but that the second limited 14-week exemption under section 7(b)(3) does cover this group of employees. Where, however, a watchman also does maintenance work, it is possible that the section 7(c) might also be applicable. The character of the work performed by the employee controls in such cases.

Office employees.—Office employees are considered by the government to be exempt under section 7(c) only when their work is performed at the canning plant and only when it is directly controlled by the flow of raw materials. Thus office workers having to do with daily time records, the checking of raw material, the earnings of piece workers, code marks, etc., are exempt. Billing clerks, mailing clerks, etc., are not considered exempt under section 7(c). Office workers employed in offices not part of a canning plant cannot, in the Division's view, be exempted under section 7(c). The 7(b)(3) exemption is held to cover all office employees whose work has to do with the packing of seasonal or perishable fruits or vegetables. (Canners who have employees in a central office, not connected with any particular

cannery, and who desire to use the 7(b)(3) exemption for such employees, should carefully read the discussion of this exemption, set forth above, so as to avoid losing a workweek under section 7(b)(3) for each plant served by such central office.)

Labeling, casing, and warehousing.—The 7(b)(3) exemption applies to the labeling and casing of seasonal commodities throughout the entire year even though the active canning season is over. With respect to section 7(c), however, the Division takes the position that only labeling and casing performed immediately after canning and in the same establishment is covered. In other words, labeling and casing must be part of the continuous canning operation. Where these activities are carried on in a building not immediately a part of the cannery, the situation should be discussed with the regional enforcement officials. The same rulings are applied to warehousing and shipping operations.

H. W. Phelps Resigns from American Can Co.

Henry W. Phelps, chairman of the board of directors of the American Can Co., has resigned both as chairman and member of the board, although he will continue in an advisory capacity and will retain offices at 230 Park Avenue, New York. The office of chairman of the board will not be filled, it has been announced.

Mr. Phelps has served the American Can Co. since its formation in 1901. He was president from 1923 to 1936, when he was elected chairman of the board.

He began making cans with Ranney & Phelps in 1887. Seven years later the canning business of that company was sold and the can-manufacturing department was moved to Hoopeston, Ill., as the Union Can Co. The company was merged into the American Can Co. in 1901, and Mr. Phelps was appointed district manager of sales for packers' cans in Chicago. A year later he was transferred to San Francisco as general manager of the Pacific district. In 1905, he went to New York as general manager of sales. In 1913 he became vice president and general manager of sales, and, in 1923, president of the company.

In a lifetime of active association with can manufacturing, Mr. Phelps has made many notable contributions to the development not only of the American Can Co. and the can manufacturing industry as a whole, but also of the canning industry. Outstanding among his activities to advance the canning industry has been his long and continued interest in and support of scientific research work, both by his own company and by the National Canners Association.

Seasonal Determination of Citrus Pulp Industry

A prima facie determination that the dehydrating of citrus pulp and waste is an industry of a seasonal nature within the meaning of section 7(b)(3) of the wage and hour law was issued by the Wage and Hour Division on March 28. The determination will become final on April 12 if no objection and request for hearing are received by the Division. A final determination will permit the industry to operate 12 hours a day and 56 hours a week during 14 weeks in the aggregate each year without paying overtime.

CANNED FOOD ESTIMATES REVISED**Army-Navy Vegetable Requirements Figure Raised
—Canned Fruit Estimates Lowered**

Canned fruit and vegetable requirements that may be needed from the 1941 pack for the armed forces of the United States reveal that about 7,900,000 cases of canned vegetables and 2,250,000 cases of canned fruits will be purchased, according to the latest available estimates compiled and released by the Food Supply Section of the Agricultural Division of the National Defense Commission. The announcement of the Commission is as follows:

"Requirements of canned fruits will represent about 5 per cent of the 1935-39 average annual pack of the fruits listed, while the cases of vegetables represent 8 per cent of the five-year annual average pack", George Livingston, Chief of the Food Supply Section, said.

This estimate includes the combined requirements of the Civilian Conservation Corps, Coast Guard and Marine Corps, as well as the Army and Navy.

The itemized estimate of the canned fruits and vegetables to be purchased from the 1941 pack is subject to change due to the availability of stocks and relative prices, as well as the necessity for maintaining balanced rations and variety in diet for men on active duty. However, the total estimated consumption is based on actual Army and Navy feeding experience as applied to present estimates of the number of men to be fed over the period July 1, 1941-July 1, 1942.

A list of the requirements of canned fruits and vegetables follows. This shows several changes from previous estimates so far as individual products are concerned, but the total of all products shows comparatively little difference from earlier estimates.

In the following table are shown the latest estimated amounts of canned fruits and vegetables to be purchased from the 1941 pack by the Army and Navy, including the Coast Guard, Marine Corps, and the Civilian Conservation Corps. These revised estimates can be compared with the original estimates published on page 6473 of the INFORMATION LETTER for March 15, 1941.

Product	Can size	Total cases	Total cases basis 6/16's
VEGETABLES			
Beans, green and wax	10	652,000	652,000
Beans, lima	10	155,000	155,000
Beets	10	251,880	251,880
Carrots	10	155,000	155,000
Corn	2	1,648,311	1,239,331
Kraut	2½	458,424	469,682
Peas	10	1,267,700	1,267,700
Pumpkin	10	49,983	49,983
Pumpkin	2½	193,000	210,370
Spinach	10	347,556	347,556
Sweet potatoes	2½	193,000	210,370
Tomatoes	10	1,709,560	1,709,560
Tomato juice	10	617,000	617,000
Other vegetables	10	211,620	211,620
Total		7,910,034	7,577,052
FRUITS			
Apples	10	308,275	308,275
Apple sauce	10	94,591	94,591
Apricots	10	207,865	207,865
Cherries	10	57,825	57,825
Grapefruit	5	77,100	83,268
Peaches	10	493,845	493,845
Pears	10	214,376	214,376
Pineapple	2½	594,719	646,434
Prunes	10	170,361	170,361
Other fruits	10	33,661	33,661
Total		2,252,618	2,310,501

TNEC Monograph on Consumers Standards Issued

A study of consumer standards, prepared by Samuel P. Kaidanovsky and Alice L. Edwards of the Consumers' Counsel Division of the Department of Agriculture, was published this week by the Temporary National Economic Committee as Monograph No. 24. The 433-page book reports the activities of the Federal government in the fields of standardization, inspection, testing, and research as they relate to consumer standards. It also reviews work conducted by private agencies and summarizes procurement methods of both private and government agencies.

Three chapters of the study are devoted to the extent and character of commodity information available to the consumer; the value of standards, grades and informative labels to consumers and their effect on merchandising; and recommendations and policies of various organizations on the subject of consumer standards, grades, and labels. The volume may be obtained from the Superintendent of Documents, Government Printing Office, Washington, D. C., for \$1.00.

Among other TNEC monographs that became available during the past week and may be obtained from the Government Printing Office are the following: No. 21—Competition and Monopoly in American Industry, \$0.40; No. 27—The Structure of Industry (1941), \$1.00; No. 37—Saving, Investment, and National Income, \$0.20; and No. 38—A Study of the Construction, and Enforcement of the Federal Anti-trust Laws, \$0.15.

Veterans Bureau Asks Bids on Canned Foods

The Veterans Administration, Arlington Building, Washington, D. C., has issued invitations for bids on canned asparagus and on canned spinach. The bids on 13,870 cases (6 No. 10 cans) of canned spinach are to be opened April 15. The bids on 8,590 cases (6 No. 10 cans) of canned asparagus, soup tips and cuts, are to be opened April 24. Deliveries are to be made of specified quantities to the Supply Depots at Perryville, Md.; San Francisco, Calif.; and Chicago, Ill.

Wisconsin Pea-Grading Bill Postponed

The Wisconsin Assembly Committee on Agriculture, following a hearing on a bill relating to the grading of raw peas held on March 26, reported the bill out with indefinite postponement recommended. The bill was opposed by the Wisconsin Cannery Association as tending to discourage the buying of peas on a graded basis and as imposing a substantial hardship in the way of record-keeping requirements.

Export Licenses Imposed for Oils and Fats

Licenses for the exportation from the United States of vegetable, animal, fish and marine mammal oils, fats and greases and for the exportation of vegetable oil-seeds and vegetable and other oil-bearing raw materials will be required on and after April 15. The licenses will be required pursuant to a Presidential proclamation published in the *Federal Register* of April 1.

EXPORTS AND IMPORTS OF CANNED FOODS

The only canned products exported in greater quantity during January, 1941, than during January, 1940, were: corn, tomato juice, condensed and evaporated milk, salmon, miscellaneous fish, shellfish other than shrimp, berries other than loganberries, and grapefruit juice. Only in the case of canned milk was the quantity

considerably greater. Exports of other canned food items were smaller. The following table, compiled from figures of the Department of Commerce, gives details of exports and imports for comparable periods:

Exports	February, 1940		February, 1941		Jan.-Feb., 1940		Jan.-Feb., 1941	
	Pounds	Value	Pounds	Value	Pounds	Value	Pounds	Value
Meats, total	2,484,896	\$687,397	470,762	\$126,336	5,031,203	\$1,374,273	912,542	\$237,856
Beef, corned, etc.....	78,569	16,067	14,987	3,585	92,640	19,846	32,124	7,383
Other beef.....	119,973	39,097	12,986	4,147	274,903	88,105	31,763	9,871
Pork.....	1,770,373	503,936	252,385	77,672	3,895,679	1,077,778	449,229	138,591
Sausage.....	85,380	25,125	58,683	17,876	152,080	43,628	120,460	34,279
Other meat.....	430,301	102,272	131,721	23,056	615,901	144,916	278,936	47,732
Vegetables, total	11,795,531	656,453	2,816,622	229,826	31,448,576	1,646,146	5,339,052	426,806
Asparagus.....	478,478	67,960	263,143	41,374	1,140,100	166,211	445,083	70,418
Beans, baked and with pork.....	5,901,830	238,803	221,941	12,826	16,884,144	663,876	485,810	27,197
Corn.....	168,625	10,962	215,253	15,142	425,011	28,604	404,018	26,885
Peas.....	570,022	45,343	326,163	26,468	866,052	68,543	900,669	71,370
Soups.....	937,977	66,914	308,449	28,061	3,608,841	232,307	513,798	47,243
Tomatoes.....	963,239	45,322	241,004	15,814	3,256,748	153,720	397,387	24,921
Tomato paste and puree.....	1,961,740	118,255	330,203	21,007	3,426,760	199,422	673,193	44,700
Tomato juice.....	153,949	9,673	321,062	18,379	339,385	22,443	662,876	34,147
Other vegetables.....	659,671	53,221	589,404	50,755	1,501,526	110,930	856,218	79,925
Condensed milk.....	353,071	34,202	4,234,633	508,920	507,050	49,676	7,872,038	907,321
Evaporated milk.....	2,500,830	175,850	7,177,944	507,058	5,300,813	397,673	11,339,712	827,493
Fish:								
Salmon.....	6,065,230	1,145,808	7,889,027	1,181,786	9,538,237	1,773,272	11,945,084	1,913,117
Sardines.....	10,237,709	418,266	6,458,781	494,476	21,978,083	1,657,092	11,094,025	682,340
Other fish.....	116,886	23,575	784,480	57,497	845,599	84,260	1,392,943	119,888
Shellfish—								
Shrimp.....	425,527	72,066	136,463	18,499	543,190	91,145	275,085	40,668
Other shellfish.....	44,257	9,083	51,837	9,115	108,829	19,563	198,813	29,530
Fruits, total	42,755,844	3,075,109	1,038,473	91,693	62,167,783	4,467,269	2,147,229	189,118
Grapes.....			13,568	1,203			51,693	4,359
Grapefruit.....	19,783,788	1,264,017	83,400	4,103	26,011,843	1,647,573	143,913	8,000
Loganberries.....	3,490	424	2,504	228	80,061	5,901	6,316	496
Other berries.....	34,817	4,156	35,784	4,193	68,904	8,969	66,738	7,432
Apples and sauce.....	513,551	25,019	61,502	3,457	887,962	42,530	108,597	6,008
Apricots.....	2,305,568	154,431	38,737	4,069	3,347,708	236,226	66,839	7,092
Cherries.....	104,468	10,488	78,038	10,774	231,241	23,795	131,728	17,087
Prunes.....	158,685	14,142	33,833	2,463	344,404	25,468	58,514	4,323
Peaches.....	8,795,489	583,351	239,954	17,332	14,054,929	916,831	444,140	32,893
Pears.....	4,567,371	368,053	102,380	9,604	6,765,998	538,827	309,626	28,072
Pineapple.....	1,500,324	120,655	77,008	5,800	2,092,749	166,083	249,754	19,275
Fruit salad and cocktail.....	4,663,725	494,582	223,174	23,430	7,420,941	784,250	414,463	44,309
Other fruits.....	424,568	35,791	48,591	5,037	861,043	70,816	94,908	9,112
Fruit juices (in gallons):								
Pineapple.....	67,971	33,086	11,136	6,679	94,149	47,374	65,872	33,032
Grapefruit.....	253,530	74,843	420,608	114,282	637,501	211,885	1,046,724	284,326
Orange.....	39,900	22,042	22,206	12,097	61,007	35,561	39,184	20,882
Other fruit juices.....	37,759	25,445	50,145	37,259	75,111	54,279	86,134	69,724
Imports								
Meat:								
Beef.....	6,516,941	751,717	6,241,886	666,497	14,969,002	1,700,523	11,604,445	1,258,814
Other meats.....	12,584	3,800	4,053	1,124	19,868	6,550	8,377	2,834
Milk: condensed and evaporated....	156	13	52	5	462	39	445	42
Fish:								
Packed in oil—								
Sardines.....	1,889,058	285,911	772,877	164,852	2,907,436	446,062	1,414,651	280,446
Anchovies.....	178,019	62,223	172,174	59,941	358,810	134,415	362,815	117,704
Tuna.....	938,487	149,437	322,089	58,864	3,219,958	513,681	521,446	102,799
Other fish in oil.....	76,380	24,922	25,952	7,530	122,567	40,414	73,555	21,519
Other fish not in oil.....	1,258,966	136,992	115,944	17,231	2,204,190	238,428	416,904	54,860
Caviar and other roe.....	2,432	4,371	472	1,964	8,316	8,178	7,703	13,811
Shellfish—								
Crab meat and sauce.....	1,828,212	682,456	123,625	29,804	8,707,668	2,674,178	362,172	107,624
Clams and oysters.....	81,852	14,541	47,968	12,623	125,433	24,457	86,722	21,067
Lobsters.....	59,773	20,142	45,487	17,351	177,653	52,899	191,423	62,900
Other shellfish.....	1,802,151	104,276	786,395	56,342	3,045,035	173,024	1,052,470	139,818
Vegetables:								
Peas.....	19,098	1,751			56,428	3,940	44	4
Pimientos.....					8,100	1,037		
Mushrooms.....	54,267	13,680	2,387	725	201,269	42,071	11,340	3,322
Tomatoes.....	3,315,685	146,526	21,587	1,086	5,391,701	241,849	61,954	3,121
Tomato paste and sauce.....	733,788	67,672	6,000	789	1,206,349	114,541	6,000	789
Other vegetables.....	24,923	1,455	600	43	42,677	2,288	1,580	117
Fruits:								
Pineapple, dutiable.....	667,185	35,623	2,047,800	91,465	2,945,420	111,307	5,039,125	221,487
Pineapple, free (Philippines).....					5,355,454	240,825		
Mandarin oranges.....			77,430	5,671				

CONFERENCES ON VITAL MATERIALS

Meetings Called to Discuss Conservation of Tin and Other Essential Goods

A three-point plan to conserve essential defense materials through voluntary cooperation by manufacturers, merchandisers and the public was announced today by the Conservation Unit of the Office of Production Management.

The three points of the plan are as follows:

1. Conferences with committees representing manufacturers and processors to discuss possible substitutions and other savings to be made voluntarily in event of materials shortages.

2. Conferences with representatives of merchandisers to explore the possibility of featuring goods made from plentiful materials.

3. Appeals to consumers to use substitutes in cases where shortages exist or are imminent.

Robert E. McConnell, Chief of the Conservation Unit, expressed belief that all the interested groups would be glad to cooperate so that more of the vital materials would be available for defense industries.

Taking steps immediately to put the plan into effect, Mr. McConnell sent letters to a number of tin can manufacturers and to mail order houses and other large merchandisers, asking them to attend separate meetings here shortly.

He invited the tin can manufacturers to attend a meeting in his office at 10 a. m. Wednesday, April 16, to discuss these subjects:

1. Non-essential civilian uses of tin can containers in which a reduction might be effected with the least hardship in the event that an emergency creates a tin shortage.

2. Possible substitutes that might be used to accomplish such reductions.

3. Changes that would be necessary in related industries if tin consumption of can manufacturers were reduced by various percentages.

4. General suggestions.

Mr. McConnell wrote also to a number of merchandisers asking them to send representatives to a meeting in his office on April 17, to explore the possibility of reducing civilian consumption of articles made from critical and strategic materials in which shortages might develop.

"It may be possible through a voluntary shift of merchandising emphasis to obtain highly desirable savings," Mr. McConnell said.

He expressed belief that voluntary cooperation by manufacturers, processors, and merchandisers would go far toward accomplishing the necessary conservation. Appeals to consumers to direct their buying to goods made of plentiful materials will ordinarily be made, he added, only in the event that results of the other cooperative efforts prove inadequate.

The possibilities of conservation by voluntary cooperation will be explored concerning other materials, such as aluminum, nickel, neoprene, tungsten, zinc, chromite, graphite, manganese, quartz crystals, rubber, bauxite, and copper.

State Seed Legislation as Interstate Trade Barrier

The Agricultural Marketing Service of the U. S. Department of Agriculture has published in mimeographed form a

statement entitled "State Seed Legislation in Relation to the Problem of Interstate Trade Barriers". The scope of the report is indicated by the title and in the analysis of the current situation, the relation of a number of State seed laws and the Federal Seed Act of 1939 to interstate trade barriers is thoroughly explored and set forth.

According to the report, the principal features of State seed laws affecting the problem of interstate trade barriers are those relating to definitions, noxious weed seeds, origin, production of revenue, and the provisions governing special kinds of seeds. Most of the trade barriers in State seed laws apparently have arisen through no intent of State legislators to create such barriers. The enforcement of the Federal Seed Act, it is stated, could be made more effective if State seed laws conformed to its provisions in their comparable features and in other respects were more uniform.

It is concluded that the suggested uniform State seed law will serve as a pattern or guide to the States in drafting a State law to conform to the Federal Seed Act, to provide other uniform requirements, and as far as possible to eliminate barriers to interstate trade in agricultural and vegetable seeds.

Standards for "Enriched" Flours Proposed

Proposed definitions and standards of identity for flour and 15 related wheat products, including "enriched" flours, were announced in the *Federal Register* of April 1 by the Acting Federal Security Administrator Wayne Coy. Enriched flours would be required to contain thiamine (vitamin B₁), nicotinic acid, riboflavin, and iron. Vitamin D and calcium may also be added as optional ingredients and the enriched flour may contain not more than 5 per cent by weight of wheat germ or partly defatted wheat germ.

Contrary to the opinion which seems to exist in the minds of both manufacturers and the public, the production of "enriched" flours will not be compulsory under the requirements of the Federal Food, Drug, and Cosmetic Act. Millers are at liberty as heretofore to continue marketing flours other than those which are enriched.

In the proposed findings of fact it is stated "In general, indiscriminate enrichment of foods (including flour and self-rising flour) with vitamins and minerals would tend to confuse and mislead consumers by giving rise to conflicting claims regarding the beneficial effects of such substances and would be likely to lead to the impression on the part of consumers that a single article of food so enriched would meet all nutritional needs. Limited enrichment of selected staple foods on the other hand is readily adapted to the promotion of consumer understanding of the relative value of enriched and natural foods, utilizing such education as consumers have received regarding the nutritive value of natural foods."

Officers of Regional, State, and Commodity Groups

During the past few months, annual meetings of most of the regional, State, and commodity associations of cannery have been held and officers elected for 1941. In the following list are the names and addresses of presidents and secretaries of these associations. A few associations have not yet

reported their officers, and when these names are received they will be published in the INFORMATION LETTER.

ASSOCIATED PIMIENTO CANNERS

J. J. Edwards, president, Zebulon, Ga.
J. Logan Bloodworth, secretary, Haddock, Ga.

ASSOCIATION OF NEW YORK STATE CANNERS, INC.

W. E. Halstead, president, Cortland, N. Y.
L. A. Taylor, secretary, Lincoln-Alliance Bldg., Rochester, N. Y.

ASSOCIATION OF PACIFIC FISHERIES

Victor H. Elfendahl, president, Seattle, Wash.
E. D. Clark, secretary, 826 Skinner Bldg., Seattle, Wash.

CALIFORNIA FISH CANNERS ASSOCIATION

A. T. Williams, president, Terminal Island, Calif.
C. A. Winkler, secretary, 132 W. Ocean Blvd., Long Beach, Calif.

CALIFORNIA OLIVE ASSOCIATION

S. J. Tupper, president, Oroville, Calif.
Erline Hevel, acting secretary, 216 Pine St., San Francisco, Calif.

CANNERS LEAGUE OF CALIFORNIA

C. N. Lovegren, president, San Francisco, Calif.
Preston McKinney, executive vice-president and secretary, 64 Pine St., San Francisco, Calif.

EASTERN SHORE OF VIRGINIA PACKERS ASSOCIATION

Guy L. Webster, president, Cheriton, Va.
Otto Lowe, secretary, Cape Charles, Va.

FLORIDA CANNERS ASSOCIATION

F. G. Elder, president, Bradenton, Fla.
C. C. Rathbun, executive secretary, Chamber of Commerce Bldg., Tampa, Fla.

ILLINOIS CANNERS ASSOCIATION

Henry Truitt, president and secretary, Princeville, Ill.

INDIANA CANNERS ASSOCIATION

A. F. Dreyer, president, Greenwood, Ind.
Robert E. Jackson, secretary, Occidental Bldg., Indianapolis, Ind.

IOWA-NEBRASKA CANNERS ASSOCIATION

Hilman B. Everton, president, Marshalltown, Iowa.
Roy Chard, secretary, Audubon, Iowa.

MAINE CANNERS ASSOCIATION

Charles S. Morrill, president, Portland, Me.
F. Webster Browne, secretary, Brunswick, Me.

MICHIGAN CANNERS ASSOCIATION

Gleason B. Rollins, president, Hart, Mich.
Don S. Morgan, secretary, Traverse City, Mich.

MINNESOTA CANNERS ASSOCIATION

H. A. Blesi, president, Fairmont, Minn.
George A. Borg, secretary, Cokato, Minn.

NEW JERSEY CANNERS ASSOCIATION

Harry F. Hall, president, Camden, N. J.
Newlin B. Watson, secretary, Greenwich, N. J.

NORTH MISSOURI CANNERS ASSOCIATION

Gus Rist, president, Alma, Mo.
Pete Taylor, secretary, Trenton, Mo.

NORTHWEST CANNERS ASSOCIATION

L. M. Jones, president, Vancouver, Wash.
E. M. Burns, secretary, Board of Trade Bldg., Portland, Ore.

OHIO CANNERS ASSOCIATION

Richard C. Sharp, president, Celina, Ohio.
Roy Irons, secretary, Clyde, Ohio.

OZARK CANNERS ASSOCIATION

Chester R. Lloyd, president, Ozark, Ark.
J. P. Harris, secretary, Prairie Grove, Ark.

PENNSYLVANIA CANNERS ASSOCIATION

Alan Warchime, president, Hanover, Pa.
W. A. Free, secretary, 220 Elmwood Blvd., York, Pa.

PINEAPPLE PRODUCERS COOPERATIVE ASSOCIATION, LTD.

Elvon Musick, president, San Francisco, Calif.
C. L. Queen, secretary, 215 Market St., San Francisco, Calif.

SOUTH TEXAS CANNERS ASSOCIATION

J. R. St. Clair, Jr., president, McAllen, Texas.
J. A. Burch, executive secretary, Weslaco, Texas.

TENNESSEE-KENTUCKY CANNERS ASSOCIATION

A. J. English, president, Pulaski, Tenn.
B. Frank Craddock, secretary, Dyersburg, Tenn.

TEXAS CANNERS ASSOCIATION

W. F. Gohlke, president, P. O. Box 17, Austin, Texas.

TIDEWATER CANNERS ASSOCIATION

W. O. Hutt, president, Neenah, Va.
Robert A. Harris, Jr., secretary, Kinsale, Va.

TRI-STATE PACKERS ASSOCIATION

Daniel D. Conway, president, Hammonton, N. J.
F. M. Shook, secretary, Easton, Md.

UTAH CANNERS ASSOCIATION

Ronald Wadsworth, president, Ogden, Utah.
Harvey F. Cahill, secretary, 321 Kiesel Bldg., Ogden, Utah.

VIRGINIA CANNERS ASSOCIATION

R. J. Bolton, president, Christiansburg, Va.
F. W. Brugh, secretary, Fincastle, Va.

WISCONSIN CANNERS ASSOCIATION

G. J. Hipke, president, New Holstein, Wis.
Warren Lee, secretary, Beaver Dam, Wis.
Marvin P. Verhulst, executive secretary, 1003 Tenney Bldg., Madison, Wis.

Fruit and Vegetable Market Competition

Carlot shipments of fresh tomatoes, green peas, spinach, miscellaneous vegetables competing directly with canned vegetables, and citrus fruits were larger during the week ending March 29, 1941, than during the corresponding week of last year, according to the Agricultural Marketing Service. Shipments of snap and lima beans were the same for the two periods.

The following table, compiled from statistics of the Agricultural Marketing Service, gives detailed comparisons of carlot shipments on certain dates of selected vegetables and fruits:

VEGETABLES	Week ending—			Season total to—	
	Mar. 29, 1940	Mar. 29, 1941	Mar. 22, 1941	Mar. 29, 1940	Mar. 29, 1941
Beans, snap and lima.....	49	49	21	1,751	2,300
Tomatoes.....	256	623	506	3,860	6,548
Green peas.....	22	28	45	1,252	1,357
Spinach.....	217	325	137	4,306	4,282
Others:					
Domestic, competing directly..	1,690	1,835	1,482	29,558	27,807
Imports competing directly...	51	75	55	2,452	2,279
Imports competing indirectly..	50	80	72	662	1,015
FRUITS					
Citrus, domestic.....	3,201	4,172	4,420	85,882	86,938
Others, domestic.....	82	45	52	15,977	15,341

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